

Council Minutes

Monday, November 25, 2019 – 7 PM • Community Hall

Item	Presented By:	Action	Topic	Report
Pledge of Allegiance & Roll Call	Mayor Stefan Densmore			<p>Mayor Densmore called the meeting to order at 7:00 PM EST. All members present except Mrs. Dubose.</p> <p>Motion to excuse Mrs. Dubose by Mr. Boettcher Second by Mr. Marx All in favor.</p>
Set the Agenda & Adopt	Mayor Densmore	Review & Motion		<p>Motion to approve the agenda by Mr. Marx Second by Mr. Van Harn All voted in favor.</p>
Persons Registered to Address Council	Resident/Visitor	None	<ul style="list-style-type: none"> Gwendolyn Boggs 	<ul style="list-style-type: none"> Ms. Boggs began by thanking Council, and Mayor Densmore for receiving her this evening. Ms. Boggs stated that she was a 45-year resident of the Village, specifically residing on Ridge Acres Drive during this time. Ms. Boggs then covered her background. Ms. Boggs reported that she was a product of the Cincinnati Public School system, as well as a UC and XU graduate. Ms. Boggs spent 35 years teaching, and after retiring learned to speak Spanish and play the piano. Ms. Boggs then reported that she has always been civically minded and remained active in her community; most recently working with the Greater Cincinnati Center of Social Learning. Ms. Boggs then stated she was very honored by the proclamation she received from the Village and said that it was the greatest honor she has received. Ms. Boggs further apologized for her health and that it kept her from continuing her work on the Executive Committee. Ms. Boggs reported that she is amazed that so many committed residents volunteer to help with the Village. Ms. Boggs provided tokens and handwritten notes for members of Council, Mayor Densmore, Police Chief Campbell, and Village Administrator Mr. Hirth. Mayor Densmore invited former Mayor Schwartzberg to read the proclamation issued to Ms. Boggs on behalf of the Village. Former Mayor Schwartzberg read proclamation 2019-5 to Ms. Boggs and those in attendance.

		<ul style="list-style-type: none"> • Amber Simpson, Principal PRM, 	<ul style="list-style-type: none"> • Ms. Simpson began by introducing herself and thanking Council for inviting her to speak. Ms. Simpson stated that she is the Principal at the Village's neighborhood public school, as well as a Village resident. Furthermore Ms. Simpson stated that she is in her 21st year with Cincinnati Public Schools, and a product of the Cincinnati Public School System herself. Ms. Simpson reported that she is invested in this work, the children, and the district. Ms. Simpson then reported that the school has recently completed fall reading testing for 3rd graders and the school is awaiting the results. Ms. Simpson hopes that at least 50% of students reach the reading guarantee testing goal. Ms. Simpson also reported that the school has recently hired a reading specialist, and additional tutoring and instructional coaches for the students of the school. Ms. Simpson believes that PRM is a great place, and that the school's diversity is its strength. Ms. Simpson stated that she jumped at the opportunity to become the school's Principal because she wanted to work at a Montessori school. Ms. Simpson concluded by inviting Council and those in attendance to share with her their ideas and suggestions to help support the success of students. • Mayor Densmore acknowledged the excellent work Ms. Chaney has done to keep Council and the Village up to date on the "goings on" with the School.
		Mr. Denson, 33 rd District State Representative	<ul style="list-style-type: none"> • Mr. Denson is the current State Representative for the OH 33 District that includes the Village of Golf Manor. Mr. Denson stated that he was honored to speak this evening. His office hours held in the Village were well attended and he gathered useful insight from the residents during this time. Mr. Denson provided Council with several updates from the Statehouse including updates on the local government fund, his support of the gas tax increase. Mr. Denson views these two areas as opportunities to send some funding back to the individual local communities. Mr. Denson recognizes that this is not nearly enough but will bring some relief and help the communities to start some much-needed projects. Mr. Denson also spoke about a recent grant application the Village had submitted to the State for capital improvements. It is Mr. Denson's understanding that the grant application was turned down by the State, but he plans to identify some unique mechanisms to achieve the goals of the grant

				<p>application. Mr. Denson then reported that he has submitted a bill to provide some protections for bus drivers. Mr. Denson is grateful and hopeful that the bill will get passed soon. Mr. Denson then reported that he is working on another bill that is to change the definition of “bullying” in school that will enable teachers to address bullying in a more effective way. Mr. Denson also hopes to assemble a round table of leaders from communities in the 33rd district to identify opportunities for shared services. Mr. Denson concluded by inviting residents in attendance to sign up for his newsletter. By signing up residents will be provided with information about what Mr. Denson is working on and be provided with other updates. You can sign up for visiting his House of Representative’s web page.</p>
Minutes to be Approved	Andy Lanser	Review & Motion	Previous meeting minutes.	<p>November 12, 2019: Click to review or download</p> <p>Motion to table minutes to next meeting by Mr. Van Harn, Second by Mr. Marx All voted in favor.</p>
Departments/Committees				
Mayor	Mayor Densmore	Report & Announcements	Report Proclamation	<ul style="list-style-type: none"> • Mayor Densmore had opportunity to meet with Representative Denson as well as the We Thrive group. Mayor Densmore is recommending that Council assemble a committee to work towards implementing several of the recommendations made in the new We Thrive public health report as well as identify solutions for several of the challenges also identified. Mayor Densmore stated that the Village is always looking for new people to get involved. If you are interested in helping the Village, please contact him. • Mayor Densmore also reported that Duke Energy is forecasting some decreases in costs for several of their services. This could result in potential savings for Village residents.
Village Administrator	Ron Hirth	Report	Report	<ul style="list-style-type: none"> • Stover Avenue pre-construction meeting was held last week. Equipment and supplies will be staged starting this week on vacant property owned by the Village at the Stover CDS. The contractor has agreed to clear portions of the area for us at the completion of the project at no extra charge for the use of the area. • Letter to Stover residents will go out this week or next.

				<ul style="list-style-type: none"> • JMA is working strategy and cost for Stover Ave. sidewalk replacements. This will be communicated in January after approval by Council. • New Council members will need to complete a “Successor Designation certificate” prior to being sworn in on December 9, 2019. All other members will be asked to renew their designee selections for the new year. • Mr. Lanser and Mr. Hirth attended a shared services symposium last week at Cintas Center with administration members from other Hamilton County jurisdictions and the County. This was a great opportunity to start networking with key players to assist in developing our strategic development plan. From this meeting the Village will work with various Hamilton County agencies to grow residential recycling efforts as well as curb some littering and dumping in the Village. • Fall Leaf Collection continues through December 13, 2019.
Fiscal Officer/Asst. Admin	Andy Lanser	Report	Report	<ul style="list-style-type: none"> • For the Month of October, the Village had an adjusted bank balance of \$2,025,002.77. Of this most funds are allocated to the Village’s various street and street improvement funds and can only be spent for these purposes. • There were 14 outstanding payments in the amount of \$25,094.63. • There were approximately 30 cleared payments in the amount of \$219,371.01. • As for receipts, the Village generated \$160,388.54 in revenue for the Month of October. • As for the General Fund, the Village generated \$27,823 in income tax revenue for the month of October. This amount is bringing the total income tax revenue for the year to \$679,681.55; \$117,047.20 more than what was generated through the same point the previous year. • As for expenses, the Village expended \$176,064.48 for the month of October. This brings total spend for the year to approximately \$1.5; \$187,346.61 less than what was spent at the same point last year. • Total Village appropriations for the month of October were 75% of appropriations. • For approval is also the 2020 appropriations budget. The budget is structurally balanced where General Fund revenues exceed

				<p>appropriations. Total General Fund revenues are estimated to be \$1,919,634; and Total General Fund appropriations are estimated to be \$1,906,732.66.</p> <ul style="list-style-type: none"> • Estimated revenues come from two sources; property tax estimates provided to the Village by the Hamilton County Auditor; and historic income tax revenue figures stemming from the Village's relationship with RITA. • The appropriations budget was based on the following assumptions; current staffing levels would remain the same, and a 10% increase in employee health care expenses. Employee compensation adjustments would be revisited after the 1st quarter of 2020. • For consideration also are slight modifications to current year appropriations. The modifications to appropriations include increased revenue figures for one special revenue fund; and an inter-fund transfer.
Police	Chief Chris Campbell	Report	Activity Report	November activity report of the Village was 552 calls for service, and the Police Department took 33 incident reports.
LMFR Fire District	Chief Jim Puthoff	Report	Report	<ul style="list-style-type: none"> • Mr. Marx reported that the run rate out of Station 47 is on par with what was expected. To date, the District has gone on 1,791 runs, 62% of those out of Station 47. • The District applied for SAFR and FEMA grants to fund full-time fire fighter positions, but neither was approved. • The District is also set to lose another full-time firefighter, resulting in the decrease of District staffing of 2 full-time positions, and 3 part-time positions. • Complicating matters if that the City of Cincinnati Fire Department is considering opening to lateral transfers. If happens, this will have a detrimental impact on District staffing.

<p>Solicitor</p>	<p>Terry Donnellon, Solicitor</p>	<p>Legislation & Discussion</p>	<p>Duke Pipeline</p> <p>State Firearm Requirements</p> <p>ORD 2019-10: An Ordinance to Combat Discrimination and for the Guarantee of Equality and Inclusion</p> <p>Discussion:</p>	<ul style="list-style-type: none"> • Mr. Donnellon reported that the alternative route was recently approved. This route will permit the construction of the pipeline along the Village's Volunteer Park. This decision will be appealed and may live on in the Court system for some time. Mayor Densmore and Former Mayor Schwartzberg spoke publicly during the public comment period for the then proposed pipeline in opposition to it. • ORC 9.68 is an update in State code on firearm ownership that has the stated purpose of restricting local communities from enacting home rule ordinances that determinately impact a person's second amendment right. In doing so, it provides a legal remedy to any person whose 2nd amendment rights are infringed upon. Most communities will pass a boot strap ordinance to repeal any ordinance on the books that may infringe in this area. <p>Discussion: There was a general discussion of a broad religious exemption like that passed by the City of Cincinnati, as well as the merits of adding 6 proposed amendments to the proposed ordinance. Mr. Donnellon provided an overview of the history of the ordinance, and the purpose and structure of the legislative process for approval of the proposed ordinance. Specifically, that to be passed, the proposed ordinance will require three readings and as a result three opportunities for updating. For the first reading that the proposed ordinance is scheduled for this evening, Mr. Donnellon reminded those in attendance that the proposed ordinance is not in its final form, but instead the first reading is merely the first step in the legislative cycle. Mr. Donnellon stated that Council could choose to move forward with the first reading this evening or table the first reading. However, Mr. Donnellon stated that Council needs to start the discussion by putting the proposed ordinance on the table for discussion.</p> <p>Motion to put the proposed ordinance on the table for discussion by Ms. Chaney Second by Mr. Boettcher All voted in favor</p>
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			<p>“Commercial Purpose” Mr. Donnellon</p> <p>Ms. Jochum</p> <p>Section II. Housing Discrimination</p> <p>Section III. Unlawful Discriminatory</p> <p>Practices Relating to Employment</p>	<ul style="list-style-type: none"> • On page 2, the updated definition of “commercial purpose or commercial activity” is provided. This was provided in response to a question pose by Judge Hartman relating to the definition of a “commercial activity.” This addition attempts to define what a commercial activity is for the purpose of this proposed ordinance. However, Mr. Donnellon stated that this definition still might not be a complete as necessary as for the definition of a “member” or “membership” of a religious or denominational corporation, institution, association or organization and a more complete definition may need to include the phrase “those related to or affiliated with.” Mr. Donnellon therefore believes that the current definition may not be enough, however based on conversations with both parties there is an agreement as to the substance of the entire definition. • Ms. Jochum questioned whether the insertion of “co-religionist” could help solidify the definition. In her opinion this insertion would leave the Orthodox Jewish community free to define what constitutes a member. • Last meeting, Council approved the inserted exemption found on page 7, Section II (B). • On Page 10, Section III (B)(1); “religious” was struck from the paragraph. There was a general agreement that the paragraph did not need the modifier of “religious” in the text. • On page 11, Section III (B)(7) is highlighted. As it is currently worded, the text would exempt the religious organization from the proposed ordinance for secular positions that do not advance the “religious mission” of the organization. Based on the discussion between the parties, this continues to be a source of fundamental philosophic disagreement between the Orthodox Jewish community and Equality Ohio. • On page 12, Section IV(B) the word “commercial” was added to the text.
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			<p>Section IV. Unlawful Discriminatory Practices Relating to Public Accommodations</p> <p>Section V. Unlawful Discriminatory Practices Relating to Educational Institutions</p>	<p>Motion to include the language as written by Mr. Boettcher Second by Mr. Marx. Roll Call Vote: Mr. Boettcher: Yes Ms. Chaney: Yes Mr. Kneipp: Yes Mr. Marx: Yes Mr. Van Harn: Yes All in favor. Motion to add “commercial” to Section IV(B) is approved.</p> <p>• On page 13, Section V(B) the exemption that defines an “educational institution” was added. Ms. Jochum stated that Equality Ohio is fully opposed to the language of the text since it will exempt a religious organization that operates an educational institution to the degree that the Village chooses to regulate them.</p> <p>Motion to accept the language as written by Mr. Van Harn Second by Mr. Marx Discussion: Mr. Marx requested that each party submit their analysis of Section B to Mr. Donnellon to review. Roll Call Vote: Mr. Boettcher: No Ms. Chaney: Yes Mr. Kneipp: Yes Mr. Marx: Yes Mr. Van Harn: Yes</p> <p>Motion to accept the language of Section V(B) as written is approved.</p> <p>Motion to adopt the Medina language for Section III(B)(1) and substitute it since language adopted by Section V(B) conflicts with it by Mr. Marx. Second by Mr. Boettcher All in favor.</p>
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			<p>Section IX. Exceptions</p> <p>Marilyn Horowitz, 321 Vera Ave</p> <p>David Bidnick, 2350 Vera</p> <p>Jonathan Levy, 6530 Vera</p>	<ul style="list-style-type: none"> On page 18, Section IX(B) that provides an exception for a religious institution, organization, association, school, corporation, or society that is not organized for private profit is highlighted. Ms. Jochum stated that Equality Ohio does not oppose the exception as written. Rabbi Motzen stated that he would like to replace the language with the language that was provided Mr. Donnellon. <p>Motion to leave Section IX(B) as currently written by Mr. Boettcher Second by Ms. Chaney All voted in favor.</p> <ul style="list-style-type: none"> Ms. Horowitz is the Account Manager at the Golf Manor Synagogue. Ms. Horowitz stated that she has never found or experienced any tension between the communities in Golf Manor. Furthermore, she stated that she doesn't believe that the proposed ordinance is necessary, but if so, please consider exempting religious organizations. Mr. Bidnick is a long-time resident of the Village, and a former councilmember as well. Mr. Bidnick stated that he appreciates the time and effort that Council has been given to this issue. Specifically, Mr. Bidnick thanked Council, the Solicitor, and Equality Ohio. Mr. Bidnick stated that as a former councilmember and long-time resident, that he fails to understand why the Village can't include the full exemption that is found in the City of Cincinnati and what is found in the Medina ordinance. Mr. Bidnick stated that because these communities have included this exemption, it is obvious that those ordinances as written are not in conflict with State or Federal law. Mr. Levy began by thanking Council for all their work. Mr. Levy stated that he supports Rabbi Motzen's position.
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				<p>housing on Elbrook that is owned by the Synagogue? Ms. Jochum stated that they would.</p> <ul style="list-style-type: none"> • Mr. Kneipp stated he believes that there are two issues at stake when evaluating the proposed ordinance. Mr. Kneipp stated that he believes there isn't anyone in the Village who wants to see anyone discriminated against. But according to Mr. Kneipp where does one person's rights begin, and the other's end? Mr. Kneipp recounted that his father told him his rights end where another's begin. For Mr. Kneipp trying to balance those who choose to live a life, or a life of faith is a tough one for him. Furthermore Mr. Kneipp stated that trying to find where each right infringes on the other is a gray area that society must decide. Mr. Kneipp questioned whether religious institutions have a right to create their own environment? A significant question for him is the anecdote of a janitor. Does an organization have a right to deny a janitor employment? For Mr. Kneipp his big fear is a philosophic one as to where restrictions end. Mr. Kneipp believes there needs to be a separation between church and state, and an ability to gather in any environment one wants to. According to Mr. Kneipp the LGBT community has a right to accommodation, but his position is that without the full exemption, he does not feel comfortable moving forward with the proposed ordinance currently. <p>Motion to approve first reading by Mr. Boettcher Second by Mr. Marx Discussion:</p> <p>Roll call vote: Mr. Boettcher: Yes Ms. Chaney: Yes Mr. Kneipp: No Mr. Marx: Yes Mr. Van Harn: Yes ORD. 2019 – 10 first reading passes.</p> <p>Motion to put Second Reading of proposed ordinance on the agenda for January 13th Council meeting for second reading by Mr. Boettcher</p>
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			<p>ORD 2019-14: An Ordinance Modifying Chapter 553 of the Code of Ordinances Concerning Public Nuisances</p>	<p>Second by Mr. Marx Roll call vote: Mr. Boettcher: Yes Ms. Chaney: Yes Mr. Kneipp: No Mr. Marx: Yes Mr. Van Harn: Yes</p> <p>Motion to put Second reading of proposed ordinance on the agenda for the January 13th Council meeting for a second reading passes.</p> <p>ORD 2019-14 – For Approval Motion to read by title only by Mr. Boettcher Second by Mr. Marx All voted in favor.</p> <p>Motion to approve by Mr. Marx Second by Ms. Chaney Discussion:</p> <p>Roll call vote: Mr. Boettcher: Yes Ms. Chaney: Yes Mr. Kneipp: Yes Mr. Marx: Yes Mr. Van Harn: Yes ORD. 2019 – 14 passes.</p>
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			<p>ORD 2019-17: An Ordinance to Amend Appropriations for Current Expenses and other Expenditures of the Village of Golf Manor for the Fiscal Year Ending December 31, 2019</p>	<p>ORD 2019-17: For Approval Motion to read by title only by Mr. Boettcher Second by Mr. Marx All voted in favor.</p> <p>Motion to suspend the rules by Ms. Chaney Second by Mr. Van Harn All voted in favor</p> <p>Motion to approve by Mr. Marx Second by Mr. Boettcher Discussion: None Roll call vote: Mr. Boettcher: Yes Ms. Chaney: Yes Mr. Kneipp: Yes Mr. Marx: Yes Mr. Van Harn: Yes ORD. 2019 – 17 passes.</p>
			<p>ORD 2019-18: An Ordinance to Make Appropriations for Current Expenses and other Expenditures of the Village of Golf Manor During the Fiscal Year Ending December 31, 2020</p>	<p>ORD 2019-18: For Approval Motion to read by title only by Mr. Marx Second by Ms. Chaney All voted in favor.</p> <p>Motion to suspend the rules by Ms. Chaney Second by Mr. Van Harn All voted in favor</p> <p>Motion to approve by Van Harn Second by Mr. Marx Discussion:</p> <p>Roll call vote: Mr. Boettcher: Yes Ms. Chaney: Yes Mrs. Dubose: Yes Mr. Kneipp: Yes Mr. Marx: Yes</p>

				Mr. Van Harn: Yes ORD. 2019 – 18 passes.
Executive Committee	Stefan Densmore	Report		Executive Committee did not meet this evening.
Education	Sharon Chaney	Report		Tabled to next meeting
Fire District	Lou Marx	Report		<ul style="list-style-type: none"> • LMFR Fire Board meets Wednesday, December 20, 2019 - 6 PM, at Golf Manor. • For the Fire District to be cash flow fluid, the Village of Fairfax offered the district a \$400,000 loan to cover operating expenses until the 2 mill levy revenues start generating. The Village of Fairfax approved that loan legislation and the Fire District Board has accepted the loan. TO execute that acceptance the District and Village of Fairfax entered into a contractual agreement where the Fire District will pay 1/10 of 1% interest until payment in full. However, should the District cease operations before the loan is repaid, the member jurisdiction's will be responsible for repayment through their respective fire levy revenues and the Fire District's inventory would be liquidated. • The Board also challenged the Fire Chief to find additional efficiencies in both staff and operations. Mr. Lanser will be offered to work with the Fiscal Officer of Fairfax and the Fairfax Administrator to identify financial opportunities for the District.
Planning Commission	Matt Boettcher	Report		<ul style="list-style-type: none"> • There is no pending business therefore the next Planning Commission meeting will be scheduled for on Monday, January 6, 2020 pending any business.
Recreation Commission	Steve Simiele	Report		<ul style="list-style-type: none"> • Breakfast with Santa – Saturday, December 14, 2019 9 – 11 AM
Finance Committee	Matt Boettcher	Report		<p>Finance Committee met this evening. The full minutes are here.</p> <p>Highlights:</p> <ul style="list-style-type: none"> • The Village has received a finalized copy of the 2015-2016 audit. Administration has begun implementing the recommended changes stemming from the Audit. • The 2017-2018 audit is underway. Representatives performing the audit were on site earlier this month to collect the required documents. There is a belief among the Auditors and Administration that the 2017-2018 audit will be concluded reasonably quickly.

Discussion				
Old Business	Mr. Hirth	Discussion		New Council inauguration on December 9, 2019.
New Business				
Announcements				<p>Next Council Meeting will be on Monday, December 9, 2019 at 7PM in Community Hall. There will be no committee meetings that night.</p> <p>Executive Committee is scheduled to meet on Monday, January 13, 2020 at 6PM.</p> <p>Finance Committee is scheduled to meet on Monday, January 27, 2020 at 6PM.</p>
Adjourn				<p>Motion to adjourn at 9:30 pm EST by Mr. Boettcher</p> <p>Second by Mr. Van Harn</p> <p>All in favor.</p>

Submitted by Andy Lanser, Fiscal Officer

Date: _____

Stefan C. Densmore, Mayor

Date: _____

Anna Gedeon, Asst. Clerk

Date: _____

